

**REMARKS**

Claims 1-5, 9 and 13 are withdrawn. Claims 6-8, 10-12 and 14-16 (of which claims 6, 10, 13 and 14 are independent) stand rejected under 35 USC 103(a) as being unpatentable over Timmons U.S. 2004/0088190. The rejection is traversed.

The rejection is improper, Timmons failing to disclose or suggest an expense management system including, in combination, an expense master database storing expense master information for each business partner.

Embodiments of Applicants' invention as reflected by the pending claims include three features of particular note:

- a) Expense master information is prepared for each of business partner with the expense master information stored in an expense master information database of the expense management apparatus.
- b) Expense master information is used to calculate debit information based on the invoice information sent from the business partner terminal apparatus.
- c) Expense master information associated with the business partner of the business partner terminal apparatus is used to calculate debit information.

The Examiner equates the claimed expense management apparatus with health care facility 104 disclosed by Timmons, and the claimed business partner terminal as equivalent to pharmacy portion 200 or pharmacies 204 of Timmons. However, in Timmons the transaction data (which is considered by the Examiner to be equivalent to Applicants' claimed "expense master information") is prepared at pharmacy portion 200 and is transmitted to health care facility 104 (see Timmons at paragraph [0014], *et seq.*). Thus, Timmons fails to disclose feature *a*, i.e., "an expense master database storing expense master information for each business partner." Therefore, in an apparatus according to Timmons, transaction data (e.g., the price of an item sold) can be manipulated at pharmacy 200, i.e., at the location where the invoice is created. However, if there is an error in the

transaction data sent from one of pharmacies 204, health care facility 104 cannot identify the error because it must rely on the transaction data sent from the pharmacies.

According to Timmons, the records, which are compared with the charges listed on the invoice at the health care facility 104 (see Timmons at paragraph [0018], *et seq.*), are naturally the same as the original information thereof and thus are distinguishable from Applicants' "expense master information." That is, in contrast to Timmons, embodiments of Applicants' invention enable the expense management apparatus to accurately check the debit note information by referring to expense master information which is stored in a database at the expense management apparatus. In particular, Applicants' expense management system calculates "debit information based on the invoice information sent from the business partner terminal apparatus and the *stored expense master information* of a business partner associated with the business partner terminal apparatus, thereby generating calculated debit information." (Claim 6, emphasis added.) Failing to provide a database storing expense master information, Timmons cannot check the debit note information for accuracy as required by claim 6.

The Examiner has taken the position that Timmons's data warehouse is the equivalent of the claimed expense master database. However, Timmons discloses only broad generalities concerning how and the type of data that "health care facilities 104 regularly submit census data for their patient population to a processing center 400 of the PCP 600." Timmons at paragraph [0014]. Timmons also mentions that the data warehouse may be accessed such that "Other queries may be in support of research on a particular subject. The data warehouse is a valuable tool that can provide information for use in a wide variety of therapeutic, statistical, and economic analyses and interventions to aid the PCP and health care organizations in making health care and business related decisions." Timmons at paragraph [0016]. However, there is no disclosure that Timmons's data warehouse includes expense master information for each business partner.

Further, while Timmons discloses that “The facility 700 reviews the invoice at 704, and determines at 706 whether the invoice is accurate” (Timmons at paragraph [0025]), there is no mention of how this is to be done, much less any disclosure of “calculating debit information based on the invoice information sent from the business partner terminal apparatus and the stored expense master information of a business partner associated with the business partner terminal apparatus, thereby generating calculated debit information” as per the combination of claim 6. Based on Timmons’s mention of determining whether an invoice is accurate one might infer that an implementation of Timmons might provide some method to determine invoice accuracy such that one might conclude, as asserted by the Examiner, that the “facility must have something to compare to invoice data.” However, this is simply conjecture and, absent a specific teaching or showing of inherency, may not form a basis of a rejection. Further, even if there were a disclosure of checking invoice accuracy based on comparison of data in general, there is no disclosure of any specifics including what data would be used or where the data would be found, much less any disclosure of the expense management apparatus as recited by the combination Applicants’ claim 6.

Because Timmons fails to disclose or suggest the expense management system of claim 6 including, in combination, calculation means for calculating debit information based on invoice information from a business partner terminal apparatus and stored expense master information of a business partner to thereby generate calculated debit information or provide for associated accuracy checking, the rejection of claim 6 is improper and withdrawal thereof is requested.

The rejection of claims 9, 10 and 14 is improper for reasons similar to those presented in connection with claim 6. For example, Timmons fails to disclose or suggest, in combination, “expense management apparatus [including] estimation means for estimating debit information corresponding to an order for which invoice information is not yet sent from the business partner terminal apparatus, the estimation being based on a past record of the invoice information sent from the business partner terminal apparatus” (claim 9); “calculation means for calculating debit

information based on the invoice information sent from the business partner terminal apparatus and the stored expense master information of a business partner associated with the business partner terminal apparatus, thereby generating calculated debit information” (claim 10); or “a calculation step in which an expense management apparatus calculates debit information based on the invoice information sent from the business partner terminal apparatus and the expense master data corresponding to the business partner associated with the invoice information, thereby to generate calculated debit information” (claim 14). Accordingly, the rejection of claims 9, 10 and 14 is also improper and withdrawal thereof is solicited.


Since claims 7 and 8 are dependent on claim 6, and claims 11 and 12 from claim 10, and claims 15 and 16 from claim 14, these dependent claims must also define subject matter that is patentably distinct over Timmons. Accordingly, withdrawal of the outstanding rejection of dependent claims 7, 8, 11, 12, 15 and 16 is likewise solicited.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **116692005300**.

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Respectfully submitted,

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